

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MELISSA BASTIAN,

Plaintiff,

-against-

NEW YORK CITY DEPARTMENT OF EDUCATION,

Defendant.

**DEFENDANT'S NOTICE OF
MOTION FOR SUMMARY
JUDGMENT**

13 Civ. 5972 (ALC) (GWG)

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PLEASE TAKE NOTICE that, upon the annexed Declaration of Sean R. Renaghan, dated February 27, 2015 together with the exhibits annexed thereto, the accompanying Defendant's Memorandum of Law in support of this motion, and Defendant's Local Civil Rule 56.1 Statement of Undisputed Facts, and upon all prior papers and proceedings heretofore had herein, defendant New York City Department of Education ("DOE") will move this Court, before the Honorable Andrew L. Carter, Jr., United States District Judge, Southern District of New York, at the United States Courthouse, located at 40 Foley Square, New York, New York 10007, at a date and time to be set by the Court, for an order and judgment, pursuant to Rule 56 of the Federal Rules of Civil Procedure, granting summary judgment to Defendant on the grounds that there is no genuine issue of material fact to be tried, entering judgment for defendant, and granting defendant costs, fees, and disbursements, together with such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the February 11, 2015 Order of the Honorable Andrew L. Carter, Jr., opposing papers, if any, must be served upon the

undersigned and filed on or before April 3, 2015, and reply papers, if any, are to be served upon plaintiff and filed on or before April 24, 2015.

Dated: New York, New York
February 27, 2015

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By: /s/
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TO: Steven A. Morelli (by ECF)
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FOR SUMMARY JUDGMENT**

ZACHARY W. CARTER

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Of Counsel: Sean R. Renaghan

Tel: (212) 356-2452

Matter No.: 2013-041435

Due and timely service is hereby admitted.

New York, N.Y., 2015

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Attorney for.....